

REMARKS/ARGUMENTS

Claims 1-25 are pending in this application. By this Amendment, claims 1-7 and 9-23 are amended, and claims 24-25 are added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Rejections Under 35 U.S.C. §103(a)

A. Irube, Rossi, Berstis

The Office Action rejects claims 1-4, 6-8, and 19-22 under 35 U.S.C. §103(a) as unpatentable over Irube et al., U.S. Patent Publication No. 2001/0041586 A1 (hereinafter "Irube") in view of Rossi et al., U.S. Patent No. 5,672,820 (hereinafter "Rossi"), and further in view of Berstis, U.S. Patent No. 6,542,824 B1. The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, a direction sensor configured to detect a compass orientation direction of a photographing object, and a display module configured to display image and direction data multiplexed from the voice/image communication apparatus, wherein the direction data is displayed within the image which is captured by the apparatus and displayed on the display module. As acknowledged by the Examiner in the remarks regarding independent claim 1, Irube neither discloses nor suggests such features. More specifically, the camera direction sensor unit 28 disclosed by Irube merely senses whether or not a camera unit 4 is attached to the terminal 1, and Irube neither discloses nor suggests a direction sensor or a display

module which displays direction data within the captured image, as recited in independent claim

1.

Further, as acknowledged by the Examiner, Rossi fails to overcome the deficiencies of Irube. That is, Rossi's object location identification system 20 uses an airborne unit 36 to retrieve mapping information (latitude, longitude, and altitude) related to a particular object and transmits the information to a separate ground station 38. The airborne unit 36 does not include a display module, and thus necessarily cannot display any type of information. Further, Rossi neither discloses nor suggests that any type of data, let alone direction data, is displayed within any image captured by either the airborne unit 36 or the ground station 38. Thus, Rossi fails to overcome the deficiencies of Irube.

Still further, Berstis fails to overcome the deficiencies of Irube and Rossi. More specifically, Berstis discloses a system for determining position information in which a portable electronic device 10, such as a digital camera, may sense movement relative to a stored reference position using inertial sensors 16. Positional information must be periodically loaded into the device 10, and a processor computes velocity, relative orientation, and a resulting change in position of the device 10 based on the movement of accelerometers 16a-16f. When an object is photographed and the digital image is recorded within a data storage area 14, the system may also record position information related to a frame number of the stored image for recall at a later time.

Further, as asserted by the Examiner on page 4 of the Office Action, although Bertis discloses that cardinal compass points may be combined with a graphical or textural display, this information provides only relative positional information of an object. More specifically, this provides a position of the object only relative to the position of the digital camera 10, and not necessarily of the object itself. Thus, Bertis neither discloses nor suggests that the image and direction data are multiplexed, nor that any data, let alone direction data, is displayed within the captured image on a display module of the device. Accordingly, Bertis fails to overcome the deficiencies of Irube and Rossi.

Additionally, it is respectfully submitted that there would have been no motivation to combine Irube, Rossi, and Bertis in the manner suggested by the Examiner to arrive at the invention as recited in independent claim 1. More specifically, the camera direction sensor unit disclosed by Irube merely senses whether or not a camera is attached to the terminal, and has absolutely nothing to do with any directional data related to an object to be photographed by any camera so attached. Irube provides no teaching or suggestion that the camera direction sensor unit could or should be augmented or replaced with any type of unit which provides location information related to the object to be photographed, nor that it would be advantageous to do so. Further, Irube's silence regarding object location should not be construed as motivation to do so, as suggested by the Examiner. Furthermore, as set forth above, Bertis neither discloses nor suggests that the image and direction data are multiplexed, nor that any data, let alone

direction data, is displayed within the captured image on a display module of the device. Thus, it would not have been obvious to combine the terminal taught by Irube with either the device taught by Rossi or the device taught by Berstis, or a combination thereof. Rather, it is respectfully submitted that the Examiner's piecemeal reconstruction of the invention through the application of the Irube, Rossi, and Berstis references clearly relies on the use of impermissible hindsight gleaned from applicant's own disclosure.

For at least these reasons, it is respectfully submitted that independent claim 1 is allowable over the applied combination, and thus the rejection of independent claim 1 under 35 U.S.C. §103(a) over Irube, Rossi, and Berstis should be withdrawn. Rejected dependent claims 2-4 and 6-8, as well as newly added claim 24, are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

Independent claim 19 recites, *inter alia*, multiplexing the encoded compass orientation direction data binary value together with image and voice data forming an image frame, wherein the image frame includes the compass orientation direction data as part of the image to be displayed. As set forth above, Irube neither discloses nor suggests such features, Rossi fails to overcome the deficiencies of Irube, and Berstis fails to overcome the deficiencies of Irube and Rossi. Accordingly, it is respectfully submitted that independent claim 19 is allowable over the applied combination, and thus the rejection of independent claim 19 under 35 U.S.C. §103(a)

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over Irube, Rossi, and Berstis should be withdrawn. Rejected dependent claims 20-22 are allowable at least for the reasons set forth above with respect to independent claim 19, from which they depend, as well as for their added features.

B. Irube, Rossi, Berstis, Takahashi (claims 9 and 23)

The Office Action rejects claims 9 and 23 under 35 U.S.C. §103(a) as unpatentable over Irube, Rossi, and Berstis, and further in view of Takahashi et al., U.S. Patent No. 6,516,094 B1 (hereinafter "Takahashi"). The rejection is respectfully traversed.

Dependent claims 9 and 23 are allowable over Irube, Rossi, and Berstis at least for the reasons set forth above with respect to independent claims 1 and 19, from which they respectively depend, as well as for their added features. Further, Takahashi is merely cited to teach the formation of null data, and thus fails to overcome the deficiencies of Irube, Rossi, and Berstis. Accordingly, it is respectfully submitted that claims 9 and 23 are allowable over the applied combination, and thus the rejection of claims 9 and 23 under 35 U.S.C. §103(a) over Irube, Rossi, Berstis, and Takahashi should be withdrawn.

C. Irube, Rossi, Berstis, Rudow

The Office Action rejects claim 5 under 35 U.S.C. §103(a) as unpatentable over Irube, Rossi, and Berstis, and further in view of Rudow et al., U.S. Patent No. 6,236,940 B1

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(hereinafter "Rudow"). It appears, based on the remarks following this statement of rejection in the Office Action, that it was the Examiner's intention to include claims 10 and 12-18 in this rejection, even though these claims were not included in the statement of rejection. It is assumed, for purposes of this reply, that claims 10 and 12-18 are also rejected under 35 U.S.C. §103(a) as unpatentable over Irube, Rossi, Berstis, and Rudow. The rejection is respectfully traversed.

Dependent claim 5 is allowable over Irube, Rossi, and Berstis at least for the reasons set forth above with respect to independent claim 1, from which it depends, as well as for its added features. Further, Rudow is merely cited to teach a displaying area on one side of the screen, and thus fails to overcome the deficiencies of Rudow. Accordingly, it is respectfully submitted that claim 5 is allowable over the applied combination, and thus the rejection of claim 5 under 35 U.S.C. §103(a) over Irube, Rossi, Berstis, and Rudow should be withdrawn.

Independent claim 10 recites, *inter alia*, displaying the separated image and compass orientation direction data on a screen of a display, wherein the compass orientation data is displayed within the image on the screen of the display. As set forth above, Irube, Rossi, and Berstis, either alone or in combination, neither disclose nor suggest such features. Further, Rudow fails to overcome the deficiencies of Irube, Rossi, and Berstis. More specifically, Rudow discloses a display for a golf cart that displays a map of each hole, and can use a unique symbol to represent a position (and distance) of the golf cart relative to the hole. Yardage information

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may be displayed adjacent the map, and outside of the image of the hole shown on the display. Rudow neither discloses nor suggests displaying compass orientation data within the image on the display, and thus fails to overcome the deficiencies of Irube, Rossi, and Berstis.

Accordingly, it is respectfully submitted that independent claim 10 is allowable over the applied combination, and thus the rejection of independent claim 10 under 35 U.S.C. §103(a) over Irube, Rossi, Berstis, and Rudow should be withdrawn. Rejected dependent claims 12-18, as well as newly added claim 25, are allowable at least for the reasons set forth above with respect to independent claim 10, from which they depend, as well as for their added features.

D. Irube, Rossi, Bertis, Takahashi (claim 11)

The Office Action rejects claim 11 under 35 U.S.C. §103(a) as unpatentable over Irube, Rossi, and Berstis, and further in view of Takahashi. The rejection is respectfully traversed.

Dependent claim 11 is allowable over Irube, Rossi, and Berstis at least for the reasons set forth above with respect to independent claim 10, from which it depends, as well as for its added features. Further, Takahashi is merely cited to teach the formation of null data, and thus fails to overcome the deficiencies of Irube, Rossi, and Berstis. Accordingly, it is respectfully submitted that claim 11 is allowable over the applied combination, and thus the rejection of claim 11 under 35 U.S.C. §103(a) over Irube, Rossi, Berstis, and Takahashi should be withdrawn.

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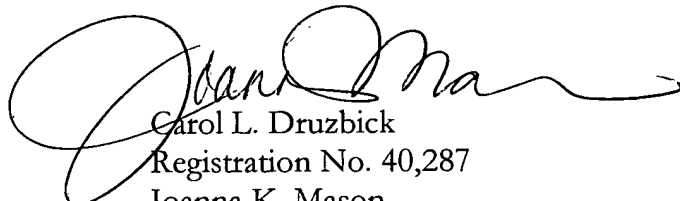
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II. CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **Joanna K. Mason**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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